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H – 1142

International Court of Justice

H1142 – 0002

SS (SCHUTZSTAFFELN) Supreme and Regional Command

REICHSFÜHRER SS
REICH LEADER OF THE SS
HIMMLER

Supreme

PERSÖNLICHER STAB RFSS
* PERSONAL STAFF
- CHIEF OF STATE
- "AHNENERBE" INSTITUTE
- ECONOMIC BOARD
- OPERATIONAL HQ
- MEDICAL OFFICER
- "LEBENSBORN" SOCIETY
- OTHER OFFICES

SS HAUPTAMT – BERGER
CENTRAL OFFICE
- ADMINISTRATION PERSONNEL & MEDICAL
- EDUCATION & CARE OF TROOPS
- RECRUITING
- REGISTRATION
- GERMANIC AFFAIRS

W V H A
ECONOMIC & ADMINISTRATIVE DEPT
- ADMINISTRATION
- SUPPLIES & BILLETS ETC
- BUILDINGS & WORKS
- ECONOMIC ENTERPRISES
- CONCENTRATION CAMPS
- PRISON LABOR
- MEDICAL
- ADMINISTRATION

RASSE und SIEDLUNGSHAUPTAMT
RACE & SETTLEMENT
- RACIAL MATTERS
- MARRIAGE PERMITS
- POPULATION POLICY
- EUGENICS
- SETTLEMENTS
- RESETTLEMENT
- OTHER OFFICES

FÜHRUNGSHAUPTAMT
OPERATIONAL HQ
- (A) OPERATIONS PERSONNEL SUPPLY
- KOMMANDOAMT DER ALLGEMEINEN SS
- KOMMANDOAMT DER WAFFEN SS
- OTHER OFFICES
- (B) TRAINING
- (C) INSPECTORATES
- (D) MEDICAL
- OTHER OFFICES

RSHA KALTENBRUNNER
REICH SECURITY OFFICE
- 1 PERSONNEL & ORGANIZATION
- 2 ADMINISTRATION & FINANCE
- 3 (SD INSIDE GERMANY) SPHERES OF GERMAN LIFE
- 4 (GESTAPO) COMBATTING OPPOSITION
- 5 (KRIPO) COMBATTING CRIME
- 6 (SD OUTSIDE GERMANY) FOREIGN INTELLIGENCE
- MILITARY OFFICE
- 7 IDEOLOGICAL RESEARCH

ORDNUNGSPOLIZEI
REGULAR POLICE

SS PERSONALHAUPTAMT
PERSONNEL
- HAUPTAMT SS GERICHT LEGAL OFFICE
- HAUPTAMT VOLKSDEUTSCHE MITTELSTELLE REPATRIATION OF RACIAL GERMANS
- STAFF HQ COMMISSIONER FOR CONSOLIDATION OF GERMAN NATIONALITY
- DIENSTSTELLE SS OGF HEISSMEYER OFFICE OF GEN HEISSMEYER

Regional

HÖHERER SS UND POLIZEIFÜHRER
HIGHER SS AND POLICE LEADER
HSSPF

✝ TOTENKOPFVERBÄNDE

WAFFEN SS

ALLGEMEINE SS
- STABSFÜHRER OBERABSCHNITT CHIEF OF STAFF DISTRICT
- ABSCHNITT – SUB DISTRICT
- STANDARTE – REGIMENT
- STURMBANN – BATTALION
- STURM – COMPANY

INSPEKTEUR SIPO & SD
- SD
- SIPO GESTAPO KRIPO

COMMANDER OF REGULAR POLICE
REGULAR POLICE

— POLICE FUNCTIONS

* PERSÖNLICHER STAB DES RF SS IN 1941 REPORTED TO HAVE CEASED OPERATION AS A SEPARATE HAUPTAMT, MOST OFFICES OF WHICH IT HAD BEEN COMPOSED WERE THEREAFTER DIRECTLY SUBORDINATED TO HIMMLER.

✝ TOTENKOPFVERBÄNDE AFTER THE BEGINNING OF THE WAR BECAME PART OF THE WAFFEN SS. THEREAFTER CONCENTRATION CAMP GUARD DUTIES WERE PERFORMED BY MEMBERS OF THE ALLGEMEINE SS AND OTHERS.

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R-129	(1) Letter, 30 April 1942, to Himmler from Pohl, Chief of WVHA. (2) Letter from Office of Chief of WVHA 30 April 1942, to all concentration camp commanders as to management of concentration camps, signed Pohl.	15, 18
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Among all the organizations charged in this indictment with the commission of crimes, the SS and the police forces - including the Gestapo - over which it obtained control and domination, rank supreme. Just as the Nazi Party itself is the very heart - the core - of the conspiracy, so the SS is the very heart - the core - of the Nazi Party. It was created as the elite group of the Party, composed of the most thorough-going adherents of the Nazi cause, pledged to blind devotion to Nazi principles, and prepared to carry them out without any question - and at any cost.

The creation and development of such an organization was essential for the execution of the conspirators' plans. Their sweeping program and the measures they were prepared to use, and did use, could not be accomplished entirely through the machinery of the government nor of the Party. Things had to be done for which no agency of government and no political party - even the Nazi Party - would openly take full responsibility. A specialized type of apparatus was needed - an apparatus which was to some extent connected with the government and given official support - but which, at the same time, could maintain a quasi-independant status so that all its acts could be attributed neither to the government nor to the Party as a whole. The SS was the instrument designed for this purpose.

Like the SA it was one of the seven components or branches or formations of the Nazi Party referred to in the Decree on Enforcement of the Law for Securing the Unity of Party and State of 29 March 1935, published in the Reichsgesetzblatt for 1935, Part I, Page 503. But it was more than a simple Party organizations. Step by step it acquired more and more of an official status. As the plans of the conspirators progressed and new tasks had to be performed, it assumed new functions, new responsibilities and a new place in the State. Unlike the SA, it was not a relatively simple organization - from the structural point of view - which can be easily described. It was such at its beginning. But it developed throughout the course of the conspiracy into a highly complex machine, the most powerful in the Nazi State, spreading its tentacles into every field of Nazi activity.

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Although it is impossible to give a clear picture of the organization and functions of the SS in a few words, it may be desirable at the outset to make some reference to the number of persons involved in this case and to the prosecution's theory as to the unlawfulness of every part of this organization.

In 1929 the SS consisted of about 280 members. When the Nazis acceded to power in 1933 it had about 52,000 members. By 1939 its membership numbered somewhere between 250,000 and 300,000. The bulk of this number - about 240,000 men - were members of the central organization, the Allgemeine or General SS, which is described in Page 6, et seq., of this brief. The rest were assigned to such special branches as the SD (see Page 8 of the brief), the Death Head Units (see Page 8 of the brief) and the militarized force - the SS Verfuegungstruppe - which was the forerunner of the SS combat branch, the Waffen SS (see Pages 18 - 21). All these men were volunteers, pledged to the obedience and loyalty to the aims of the organization and to its leadership. During the war, the Waffen SS was built up out of the few regiments of the SS Verfuegungstruppe until at the end of the war it included some 31 divisions and perhaps about 500,000 men.

The prosecution does not conceive that any distinction as to criminality can be drawn on the basis of branches or departments or offices of the SS. As the evidence will show, the SS was a single enterprise - a unified organization. Some of its functions were performed by one branch or department or office, some by another. No single branch or department, of course, participated in every SS activity. But every branch and department and office was necessary to the functioning of the whole. The situation is much the same as in the case of the individual defendants at the bar. Not all participated in every act of the conspiracy - but all performed a necessary role in the whole criminal scheme.

Nor does the prosecution conceive that any limitations as to criminality can be based on considerations of chronology - or dates of membership. There was no period of time during which the aims and methods of the organization were not unlawful. It expanded its criminal functions

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and perfected its evil techniques, in the course of years - but it was conceived for unlawful purposes and operated unlawfully from the beginning.

Finally, a word must be said as to the voluntary character of membership in the SS. As the evidence will show, not only was it an organization of volunteers, but applicants had to meet the strictest standards of selection. It was not easy to become an SS member. That was true of all branches of the SS, including the Waffen SS as well. The prosecution clearly recognizes, of course, that during the course of the war, as the demands for manpower increased, and the losses of the Waffen SS grew heavier and heavier, there were occasions beginning in late 1943 when men drafted for compulsory military service were assigned to units of the Waffen SS rather than to the Wehrmacht. These instances were relatively few. Evidence of recruiting standards of the Waffen SS in 1943 show that membership in that branch was as essentially voluntary and highly selective as in other branches. As we see the case, the fact that some individuals may have been arbitrarily assigned to some Waffen SS unit has no bearing on the issue before the tribunal - which is simply this - whether the SS and all its branches was or was not an unlawful organization. Doubtless many of the thousands and thousands of members of the SS, or of other of the organizations alleged to be unlawful, might desire to show that his participation in the organization was a small or innocuous one, that compelling reasons drove him to apply for membership, that he was not fully conscious of its aims or that he was mentally irresponsible when he became a member. Such facts might or might not be relevant if he were on trial. But in any event this is not the forum to try out such matters. So, it is submitted, the fact that to a small degree one segment of the organization had in it some conscripts is not of importance in determining the criminal character of the organization as a whole - and of all of its parts.

It is our contention, therefore, that the SS, as defined in Appendix B, page 36, of the Indictment, was unlawful. The evidence of each of the various functions and activities of the SS shows the different components and departments and offices which figured in the particular function or

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activity being dealt with.

This brief will be directed first toward showing the origin and early development of the SS; secondly, the basic principles of selection by which its members were chosen and the obligations its members undertook; thirdly, how it was organized -- that is, the branches which it developed, its structure and channels of command (in this connection see the chart of the organization of the Supreme and Regional Command of the SS attached to this brief); and finally, its aims and the means used to accomplish them - the manner in which the SS carried out the purposes of the conspirators, and so is responsible for the crimes alleged in the Indictment.

The general history, organization and functions of the SS are not matters which can be learned only from secret files and captured documents. They are recounted in many publications, circulated widely throughout Germany and the world, official books and papers issued by the Nazi Party itself, and books and pamphlets and speeches by SS and State officials published with SS and Party approval. Better than anything else such publications tell the story of the SS. Throughout this brief frequent reference is made to a few such publications, translations of which - in whole or in part - will be supplied to the court in the document books.

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SECTION OF INDICTMENT

The sections of the indictment covered in this brief are the following:

COUNT ONE - THE COMMON PLAN OR CONSPIRACY, Par. IV (D) 3 (b), The Acquiring of Totalitarian Control of Germany: Political, Consolidation of control - Page 5.

COUNT ONE - THE COMMON PLAN OR CONSPIRACY, Par. IV (H), Individual, Group and Organization Responsibility for the Offense Stated in Count One - Page 10.

APPENDIX B - Die Schutzstaffeln Der Nationalsozialistischen Deutschen Arbeiterpartei (Commonly Known as the SS) Including Die Sicherheitsdienst (Commonly known as the SD) - Page 36.

LEGAL REFERENCES

Article 9 of Section II "JURISDICTION AND GENERAL PRINCIPLES" of the Charter of the International Military Tribunal, page 2:

> "At the trial of any individual member of any group or organization the Tribunal may declare (in connection with any act of which the individual may be convicted) that the group or organization of which the individual was a member was a criminal organization.
>
> "After receipt of the Indictment the Tribunal shall give such notice as it thinks fit that the prosecution intends to ask the Tribunal to make such declaration and any member of the organization will be entitled to apply to the Tribunal for leave to be heard by the Tribunal upon the question of the criminal character of the organization. The Tribunal shall have power to allow or reject the application. If the application is allowed, the Tribunal may direct in what manner the applicants shall be represented and heard."

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STATEMENT OF EVIDENCE

I. STATUS, ORIGIN, MEMBERSHIP AND EARLY DEVELOPMENT

A. Status and Origin

The "Schutzstaffeln der NSDAP" (known as the SS) was one of the seven "components" or "formations" of the National Socialist Party, - organizations which formed an integral part of the Nazi movement.

1725-PS. Decree for Execution of the Law for Security of the Unity of the Party, 29 March 1935, Reichsgesetzblatt (1935) I, p. 502.

2640-PS. Organisationsbuch der NSDAP (1943) p. 417

It achieved that status on July 20, 1934, when it was made a component of the Party, directly responsible to Hitler, under the command of Heinrich Himmler, Reichsfuehrer-SS.

1857-PS. Announcement of creation of SS as independent formation of NSDAP, Voelkischer Beobachter, 26 July 1934, p. 1.

2284-PS. Gunter d'Alquen, Die SS. Geschichte, Aufgabe und Organisation der Schutzstaffeln der NSDAP (1939), the authoritative account of the history, functions and organization of the SS, written at the direction of the Reichsfuehrer SS by SS Standarten fuehrer d'Alquen, editor of the official SS publication "Das Schwarze Korps",

Although technically equal in status to the other seven components of the NSDAP, actually it was the elite corps of the Nazi Party and became the most powerful organization in the Nazi state.

The SS was originally created to perform the function of acting as protective guard for Hitler and other party leaders. It derived from the "Stosstrupp Hitler", a small headquarters detachment of the Storm Troops (Sturmabteilung or SA), which was outlawed with the Nazi Party and the SA in November 1923 after the abortive Munich putsch.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 137.

2284-PS. d'Alquen, Die SS, p. 6

In 1925 when the prohibition against the NSDAP, imposed in November 1923, was lifted and party activity again resumed, the SA continued to be outlawed. To take the place of the SA, Hitler organized small mobile squads (Schutzstaffel) to serve as his private troops and police force in politically hostile territory.

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2284-PS. d'Alquen, Die SS, pp. 6, 7.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 137.

With the reinstatement of the SA in 1926, the Schutzstaffel (SS) for a few years ceased to be of importance, although it continued as an organization within the SA under its own leader, the Reichsfuehrer SS, who was subject to the Chief of Staff of the SA.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 137.

1859-PS. Walter M. Espé, Das Buch der NSDAP (1934), Appendix, Die NSDAP, p. 12.

On 6 January 1929 Heinrich Himmler was appointed as Reichsfuehrer SS with express instructions to form the SS into an elite and thoroughly dependable organization.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 137

2284-PS. d'Alquen, Die SS, pp. 7, 8.

"With this day the real history of the SS begins as it stands before us to-day in all its deeper essential features, firmly anchored into the National Socialist Movement".

2284-PS. d'Alquen, Die SS, p. 7

B. Development of the SS as an Elite Nazi Corps

Himmler proceeded to reorganize the SS by establishing the strictest Nazi standards for selection and training.

1. Requirements for Membership -

The first principal of selection was that of Blood and Elite (Blut und Auslese).

1851-PS. Himmler, Die Schutzstaffel als antibolschewistische Kampforganisation, p. 20

As Himmler stated in a speech to the Wehrmacht (published in 1937):

"I am a strong believer in the doctrine that, in the end, only good blood can achieve the greatest enduring things. Strengthened by this conviction of mine, I began to work on this problem. It means that actually only good blood, according to our reading of history, is to be considered as the leading creative element in every state, and, in particular,

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of all military activity, that is to say, only Nordic blood. I said to myself that should I succeed in selecting from the German people for this organization as many as possible who possess this desired blood, and in teaching them military discipline and the understanding of the value of blood and the entire ideology resulting from it, then it would be possible actually to create such an elite organization as would successfully hold its own in all cases of emergency".

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 138.

Every applicant was required to establish his Nordic descent going back to 1800 and, in the case of an officer candidate, to 1750.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 140.

Standards of height and Nordic appearance were established, both as an aid to insuring the applicant's "good blood" and as an end in themselves.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), pp. 138, 139, 141.

Moreover, to insure the continuance of "good blood", an order of the Reichsfuehrer SS of 31 December 1931 prohibited marriage by any SS man except upon authorization from the Reichsfuehrer SS, such authorization being conditional on establishing that the prospective bride met the same requirements as to health, descent and ideological background as the SS man himself.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 153.

2640-PS. Organisationsbuch der NSDAP (1943) p. 417

2284-PS. SS Marriage law of 31 December 1931, quoted in d'Alquen, Die SS, pp. 9, 10.

The political and ideological background of each applicant was also carefully scrutinized.

"Every member of the SS has to be deeply imbued with the meaning and essence of the National Socialist movement."

2640-PS. Organisationsbuch der NSDAP (1943) p. 417

1852-PS. Werner Best, Die Deutsche Polizei (1940) - an authoritative work on the German Police by SS Brigade Fuehrer and Ministerial Director (later SS Obergruppenfuehrer), Chief of the Administration and Legal Department of the Security Police - p. 99.

These physical, racial and ideological standards were jealously maintained. When, after the accession of the Nazis to power, there was an influx of members into all other Nazi organizations, membership in the SS was temporarily closed, and between 1933 and 1935 unsuitable members were expelled.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 140.

When membership in the SS was later opened to certain classes of the police in a desire to "fuse" the police and the SS, applicants were required to meet the general strict standards for ordinary SS membership.

1637-PS. Order of Himmler, 23 June 1938, Acceptance of Members of the Security Police into the SS Reichsministerialblatt (1938), p. 1089.

As late as 1943 these racial and ideological requirements were still stressed, even in recruiting for the combat forces of the SS.

2768-PS. Letter, 24 April 1943, to Kaltenbrunner, signed Himmler.

2825-PS. SS Soldatenfreund (1943), p. 37.

As stated in the 1943 Organisationsbuch of the Party:

"The demands with respect to the racial purity of the SS are being increased every year."

2640-PS. Organisationsbuch der NSDAP (1943), p. 417.

2. Obligations of Members -

Upon admission to the SS, each member took an oath to Hitler of obedience to death.

"Obedience must be unconditional. It corresponds to the conviction that the national socialist ideology must reign supreme. He who is possessed by it and fights for it passionately, subjects himself voluntarily to the obligation to obey. Every SS man is prepared, therefore, to carry out blindly every order which is issued by the Fuehrer or which he is given by his superior, irrespective of the heaviest sacrifices involved."

2640-PS. Organisationsbuch der NSDAP (1943), p. 418.

As Himmler stated in a speech at a meeting of SS Generals at Posen in 1943:

"I would like here to state something clearly and unequivocally: It is a matter of course that the little man must obey. It is even more a matter of course that all the senior leaders of the SS, that is, the whole corps of Gruppenfuehrer, are a model of blind obedience."

2. Obligations of Members -

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1919-PS. Speech of Reichsfuehrer SS at the meeting of SS Gruppenfuehrer at Posen, 4 October 1943, p. 75 (English translation p. 6).

See also

1851-PS. Himmler, Die Schutzstaffel als anti-bolschewistische Kampforganisation, p. 24.

Each member was required to become completely indoctrinated in Nazi ideology, and to propagate Nazi doctrines.

2640-PS. Organisationsbuch der NSDAP (1943), pp. 417, 418

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 145.

He was required to be ruthless and aggressive. Every SS member had the duty to "defend his honor with his dagger".

2825-PS. Honor Law of the SS, 9 September 1935, published in SS Soldatenfreund (1943), p. 23

"Openly and without pity, he fights against the most dangerous enemies of the State: Jews, Freemasons, Jesuits and political clergy."

2640-PS. Organisationsbuch der NSDAP (1943), p. 418

Through these principles of selection and training the SS became

"a team of the best - not only the physical best, but also the most reliable, most loyal, and finally in terms of character the most valuable - men from all parts of the movement."

2284-PS. d'Alquen, Die SS, p. 8

It was a Nazi aristocracy, defined by Himmler as:

"a National Socialist soldierly order of Nordic men".

1851-PS. Himmler, Die Schutzstaffel als anti-bolschewistische Kampforganisation, p. 31

and, by the Organisationsbuch der NSDAP as a "firmly welded fighting force bound together by ideological oaths".

2640-PS. Organisationsbuch der NSDAP (1943), p. 417

C. Functions of the SS to June 20, 1934.

During the period preceding the accession to power, the SS joined with the SA "in good and evident comradeship" (as d'Alquen says) in the fight against political opponents of the Nazis.

2284-PS. d'Alquen, Die SS, pp. 7, 11.

After the Nazis acceeded to power, in January 1933, "52,000 SS men who, in this spirit, bore the revolution in the van, marched into the new State which they began to help form, everywhere." "Indisde and outside of the Movement . . . the SS had to intervene, repeatedly called upon for the protection of the National Socialist principles."

2284-PS. d'Alquen, Die SS, pp. 11, 12.

The initial form which such "intervention" took is shown by the evidence, relating to the system of terror initiated after 1933, in proof of Count One, Paragraph (d) 2 (b) of the Indictment and in proof of the case against the SA.

The SS soon proved its value as the elite corps of the Party, and as the most reliable "instrument of the Fuehrer," in June 1934 when it participated in carrying out the bloody purge of the SA and others. As stated in an affidavit by the defendant Wilhelm Frick:

> "They were just killed on the spot. Many people were killed - I don't know how many - who actually did not have anything to do with the putsch. People who just weren't liked very well, as for instance, Schleicher, the former Reich Chancellor, were killed . . . . The SS was used by Himmler for the execution of these orders to suppress the putsch."

Himmler himself in a speech to SS Generals in 1943 referred to the role of the SS in the purge in these words:

> "Just as we did not hesitate on June 30th, 1934, to do the duty we were bidden, and stand comrades who had lapsed, up against the wall and shoot them, so we have never spoken about it and will never speak about it."
>
> 1919-PS. Speech of Reichsfuehrer SS at Posen, October 4th, 1943, p. 64 (English translation, p. 4).

In recognition of its services in this respect, it was raised to the status of an independent formation of the Party on 20 July 1934.

> 1857-PS. Announcement of creation of SS as an independent formation of the NSDAP, Voelkischer Beobachter, 26 June 1934, p. 1

II. ORGANIZATION

A. Principal Branches

Up to January 1933, there were no specially designated branches of the SS. As, however, the SS assumed additional functions, its organization expanded and became more complex. Although it became customary to distinguish between several "branches" or "formation," such as the Allgemeine SS, the Waffen SS and the SD, actually in

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terms of administration and command there was no distinction. Each of the various components played its part in carrying out one or more functions of the SS. The personnel composing each differed. Some were part-time volunteers; others professionals enlisted for different periods of time. But every branch, every department, every member was an integral piece of the whole organization.

> "It would be an evil day if the SS and police fell out. It would be an evil day if the Main Offices, performing their tasks well meaningly but mistakenly made themselves independent by each having a downward chain of command. I really think that, the day of my overthrow would be the end of the SS. It must be, and so come about, that this SS organization with all its branches - the General-SS which is the common basis of all of them, the Waffen-SS, the regular uniformed police (Ordnungspolizei), the SIP, (with the whole economic administration, schooling, ideological training, the whole question of kindred), is, even under the tenth Reichsfuehrer-SS one bloc, one body, one organization."
>
> 1919-PS. Himmler's speech to SS Gruppenfuehrers at Posen, p. 103 (translation p. 8).

1. The Allgemeine SS (General SS) -

The Allgemeine - that is, General-SS was the common basis - the main stem from which the various branches grew. It was composed of all members of the SS who did not belong to any of the special branches. Except for high ranking officers and those serving in staff capacities or in the Main Offices of the Supreme Command, its members were part-time volunteers.

> "The Allgemeine SS, as the continuation of the original political-ideological fighting organ, forms the ranks of the members of the SS who . . . . keep watch over the values and embodiments of the National Socialist idea, as if in time of battle. At the same time, they have the task of keeping the members of all units of the SS entrusted with special duties in a living relationship with the National Socialist people's movement, and of preventing them from secluding or detaching themselves from the whole movement."
>
> 1852-PS. Best, Die Deutsche Polizei, p. 100.

The Allgemeine SS was the backbone of the entire organization. The personnel and officers of the Main Departments of the SS Supreme Command were members of this branch. As the evidence will show, Allgemeine SS members were utilized in all phses of SS activity. For example, they were called upon in the anti-Jewish pogroms of 1938, they took over the task of guarding concentration camps during the

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war, they participated in the colonization and resettlement program. In short, the term "SS" normally meant the Allgemeine SS.

Consistent with its character as a group of "political soldiers" and its function as a "fighting organ" of the Party, it was organized on military lines, from the platoon up to the regiment. The Reich was divided into SS Oberabschnitte (Districts), corresponding roughly to the Wehrkreise (military corps areas), each Oberabschnitte being composed of two to four sub-districts (Abschnitte) within each of which there were two to four SS Standarte (regiments).

2640-PS. Organisationsbuch der NSDAP (1943) p. 427.

1992-PS. Himmler, "Wesen und Aufgaben der SS und der Polizei," published in Nationalpolitischer Lehrgang (1937), p. 142.

2284-PS. d'Alquen, Die SS, p. 18.

1852-PS. Best, Die Deutsche Polizei, p. 104.

Until after the beginning of the War, it constituted the fulk of the entire SS organization. In January 1933, when there were no separately designated branches, to total SS membership was about 52,000.

2284-PS. d'Alquen, Die SS, p. 12.

In 1939, the Allgemeine SS itself had a strength of 240,000.

2284-PS. d'Alquen, Die SS.

Its members, however, with the exception of those in the main departments of the SS Supreme Command, were made subject to compulsory military service in the Army.

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of SS.

As a result during the war, its numerical strength declined.

2. The Sicherheitsdienst des Reichsfuehrers-SS (Security Service) known as the SD.

The Sicherheitsdienst des Reichsfuehrer-SS (Security Service) originated in 1931, not as a separate branch, but as a function performed by regular members of the SS.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizie", published in Nationalpolitischer Lehrgang (1937), p. 151.

During the period preceding the accession of the Nazis to power

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it was developed under Reinhard Heydrich, its Chief, into a powerful and scientific espionage system. On 9 June 1934, a few weeks before the purge of the SA, a decree of the defendant Hess, Deputy of the Fuehrer, made it the sole intelligence and counter-intelligence agency in the NSDAP.

2284-PS. d'Alquen, Die SS, p. 13.

1680-PS. Article, "10 Years of Security Police and SD," published in the official police magazine, Die Deutsche Polizei, Vol. 3, 1 February 1943.

As a part of the SS, the officials and agents of the SD were SS members.

1680-PS. Article, "10 Years Security Police and SD."

In addition to full-time officials and employees, the SD included - as did the Allgemeine SS - "members of the SD, who were employed in their civilian occupations and who do political SS service . . . as honorary employees."

1852-PS. Best, Die Deutsche Polizei, p. 105.

The subsequent development of the SD and its functions in relation to the Security Police are discussed below (p. 11).

3. The Waffen SS (Armed SS)

The Waffen SS was the combat arm of the SS, created, trained and used for war. Although under the command of the Army for strategical and tactical purposes in the field, it always remained a part of the SS, was recruited, trained, administered and supplied through the SS Supreme Command and, like all other formations of the SS, was subject to the jurisdiction of Himmler as Reichsfuehrer SS. The creation and development of the Waffen SS is dealth with in a subsequent section of this brief, pp. 18-22 infra.

4. The SS Totenkopf Verbaende (Death Head Units)

The SS Totenkopf Verbaende were units created for the purpose of serving as guards for concentration camps and composed of SS members who enlisted in this branch for periods of 4 to 12 years. In accordance with the designation of the unit, members wore the Death's Head insignia of skull and crossbones. Members received full military training, were fully armed and were regularly garrisoned at the various concentration camps.

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1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei," published in Nationalpolitischer Lehrgang (1937), p. 151.

2284-PS. d'Alquen, Die SS, p. 20.

2164-PS. Nationalsozialistisches Jahrbuch (1940), pp. 370, 371.

They were under the jurisdiction of the Reichsfuehrer SS.

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of SS.

Their immediate commander was the Fuehrer der SS Totenkopf Verbaende under Konzentrationslager (Leader of SS Death Head Units and Concentration Camps), later referred to as "Inspekteur der Konzentrationslager" (Inspector of Concentration Camps), an official in the SS Main Office (SS Hauptamt), department of the SS Supreme Command.

2284-PS. d'Alquen, Die SS, pp. 17, 30.

The creation, development and activities of the SS Totenkopf Verbaende are dealt with in a later section of this brief, pp. 13, 14 infra.

B. Supreme Command of the SS (Reichsfuehrung-SS)

> "The structure of the SS follows from its manifold duties. The Reichsfuehrer SS is in command of the whole SS. For the purposes of carrying out his orders and ordinances for the whole SS and the Police, and for the other manifold duties assigned to him, he uses the Main Offices (Hauptaemter) of the Supreme Command of the SS (Reichsfuehrung SS)."

2640-PS. Organisationsbuch der NSDAP (1943) p. 419.

The Reichsfuehrung-SS developed over the course of years from three Main Offices (see list in Nationalsozialistisches Jahrbuch (1937) p. 170) to 12 in 1943. The designation of these Main Offices and the principal functions of each is set out in 1943. The designation of these Main Offices and the principal functions of each is set out in Appendix A of this brief.

C. Regional Command of the SS.

In definite regional areas, generally corresponding in area to the Military Districts in Germany (Wehrkreise) leadership of all units of the SS was exercised by the Higher SS and Police Leader (Hoeherer SS and Polizeifuehrer known as HSSPf) appointed for the region. He supervised all units of the SS and the Police within his district.

1852-PS. Best, Die Deutsche Polizei, pp. 43, 90, 94.

2640-PS. Organisationsbuch der NSDAP (1943), p. 427.

III. CRIMINAL FUNCTIONS AND ACTIVITIES

A. General Function

After the accession of the Nazis to power, the official, announced mission of the SS was extended from protection of the Fuehrer to guaranteeing the internal security of the Reich.

2640-PS. Organisationsbuch der NSDAP (1943) p. 417

2284-PS. d'Alquen, Die SS, p. 13

This task was officially defined by Himmler as follows:

> "We shall unremittingly fulfill our task of being the guarantors of Germany's security internally just as the Wehrmacht assures the honor, greatness and peace of the Reich against the outside world. We shall see to it that the Jewish-Bolshevist revolution of sub-humans shall never again be rekindled in Germany, the heartland of Europe, either internally or by emissaries from abroad. We shall act as a ruthless sword against all those forces whose existence and whose ways we know, whenever they make the least attempt, either today or in decades or in centuries to come."
>
> 1851-PS. Himmler, Die Schutstaffeln als anti-bolschewistische Kampforganization, p. 29.

Insuring the dominance of National Socialist regime and its ideology involved the extension of SS activities into the police field and into all types of measures directed against internal opponents or potential opponents of the regime. But it also involved participation in military and other measures for extending Nazi dominance externally and in securing Nazi control over the conquered areas.

Functions of the SS thus came to cover numerous fields and each member functioned as its representative in carrying out his duties.

> "whether he is employed on the field of battle in the divisions of the Armed-SS, or whether he fights as an officer or soldier of the Army, whether he has been detailed as unit or part of the police, and serves the inner order of the Reich, or whether he fights against the enemies of the State as a member of the Security Service, or whether he labors in the frame-work of the historic mission, which has been carried over to the Reichsfuehrer SS as Reich-Commissioner for the Consolidation of German Nationality, or whether he is professionally with the home-front".
>
> 2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 191

B. Function and Activities as a Police Organization

1. Functions -

The function of the SS as a police organization was twofold:

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(a) it operated through one of its branches, the Security Service (SD), as the principal intelligence and counter-intelligence system of the State, and (b) it "penetrated" or became "fused" with the entire police system so that lines of distinction between SS and the police became undefinable.

By 1934 Himmler, the Reichsfuehrer SS, had become the chief of separate secret political police forces in all the states of Germany except Prussia, and Deputy Chief of the Gestapo in Prussia.

1992-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), pp. 154, 155.

1852-PS. Best, Die Deutsche Polizei, p. 86.

On 17 June 1936, he was appointed to the new post, thereby created, of Reichsfuehrer SS und Chef der Deutschen Polizei in Reichsministerium des Inner (Reich Leader of the SS and Chief of the German Police in the Ministry of the Interior).

2073-PS. Decree on the Establishment of a Chief of the German Police, Reichsgesetzblatt, I (1936) pp. 487, 488.

The reason for thus combining in one office the two positions of leadership of the SS and of the police, was to establish a permanent relation between the SS and the police and not a mere "transitory fusion of personnel".

1852-PS. Best, Die Deutsche Polizei, p. 85

As Hitler subsequently stated in an order of 17 August 1938:

> "By means of the nomination of the Reichsfuehrer SS and Chief of the German Police in the Ministry of the Interior on June 17th 1936 (Reichsgesetzblatt I, p. 487), I have created the basis for the unification and reorganization of the German police.
>
> "With this step, the Schutzstaffeln of the NSDAP, which were under the Reichsfuehrer SS and Chief of the German police even up to now, have entered into close connection with the duties of the German police."

647-PS. Secret Hitler Order, 17 August 1938.

Himmler created a new branch of the Reich police, the Sicherheitspolizei (Sipo or Security Police), embracing all criminal police forces (Kripo) and all secret state police (Gestapo) in the Reich. He designated as chief of the Security Police Richard Heydrich who was at that time the head of the SD.

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1551-PS. Decree Assigning Functions in Office of Chief of German Police, Reichsministerialblatt, (1936), pp. 946-948.

Through Himmler's double capacity as leader of the SS and head of the entire police system, and through Heydrich's double capacity as head of the SD and of the Security Police, unified personal control over the SS and the Security Police was established.

In September 1939 the Reichssicherheitshauptamt (Reich Main Security Office), commonly known as RSHA, was created and in it the criminal police, the Gestapo and the SD were all combined.

L-361. Order of Himmler, 27 September 1939, establishing the RSHA.

The Reichssicherheitshauptamt was not only a department in the Ministry of the Interior under the Chief of the German Police, but simultaneously one of the Main Offices in the Supreme Command of the SS. Thus organizational unity between SS and Security Police was achieved.

1852-PS. Best, Die Deutsche Polizei, p. 90, par. 1

2640-PS. Organisationsbuch der NSDAP (1943), p. 419, par. 4

Similarly the department of the Ordnungspolizei (Regular Police) in the Reich Ministry of the Interior was also at the same time a department in the Supreme Command of the SS.

2640-PS. Organisationsbuch der NSDAP (1943) p. 420, par. 2

2284-PS. d'Alquen, Die SS, p. 16

1852-PS. Best, Die Deutsche Polizei, p. 94.

Organizational unity of SS and police was extended from the highest headquarters to regional levels through the creation of post of Hoeherer SS und Polizeifuehrer (HSSPf or Higher SS and Police Leader). This official was appointed for a regional area corresponding to a Wehrkreis (Military District) in Germany (and, after the war, in districts in occupied territories). He was directly responsible to Himmler and supervised not only all SS units in the region, but also all units of the police. Subordinate to him were the regional commander of the SS (Stabsfuehrer SS) the regional commander of the Security Police and SD (Befehlshaber der Sicherheitspolizei und des SD, or BdS) and the regional commander of the ordinary police (Befehlshaber der Ordnungspolizei, or BdO), thereby establishing a single command over all SS and police forces in the region.

1852-PS. Best, Die Deutsche Polizei, pp. 90, 94.

2640-PS. Organisationsbuch der NSDAP (1943), p. 427.

In addition, unity of personnel also was achieved to a large degree by filling vacancies in the police with SS members, by enrolling in the SS members of the police who meet SS requirements, by identical ideological training of SS members and police in SS schools, and by requiring all new candidates for the police to be drawn from the SS.

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1852-PS. Best, Die Deutsche Polizei, pp. 95, 96

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 156.

1637-PS. Order of Himmler, 23 June 1938, Acceptance of Members of Security Police into the SS, 1938 Reichsministerialblatt, p. 1089.

"Thus the SS and the Police form a unit, both in their structure and in their activity, although their individual organizations have not lost their true individuality and their position in the larger units of the Party and State administration . . . "

"In the relationship between the Police and the SS, the principle of the 'orderly' penetration of an organization of the National order /i.e. the Police/ has been realized for the first time to the final outcome through the supporters of the National Socialist movement."

1852-PS, Best, Die Deutsche Polizei, pp. 94, 95

In effect both the SS and police became agencies of Himmler in his dual capacity as Reichsfuehrer SS and Chief of the German Police.

2. Criminal Activities -

The major criminal activities of the SS as a police organization, including the activities of the SD and of the Security Police, are dealt with in the brief on the Gestapo.

C. Functions and Activities With Respect to Concentration Camps.

1. Functions -

a. The establishment and classification of concentration camps and the issuance of orders to confine and to release persons therefrom was a function originally possessed and exercised by the Gestapo. After the creation of the Reichsicherheitshauptamt (Reich Security Main Office) in 1939, this function was exercised by that office. This point is dealt with in the brief on the Gestapo and SD. Since RSHA was one of the main offices of the SS Supreme Command,

2640-PS. Organisationsbuch der NSDAP (1943) p. 419.

1852-PS. Best, Die Deutsche Polizei, p. 94

these functions were necessarily functions of the SS.

b. The SS, however, possessed additional functions with respect to concentration camps. From 1933, with the initial establishment of the

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concentration camp system, until the end of the war the furnishing of guards for concentration camps was a function of the SS. For that purpose the SS Totenkopf Verbaende were created.

1992-A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), pp. 146, 150.

2164-PS. Nationalsozialistisches Jahrbuch (1940) pp. 370, 371

Initially, and after the beginning of the war as well, members of the Allgemeine SS were also utilized for this task.

1992-A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 150.

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of the SS.

2164-PS. Nationalsozialistisches Jahrbuch (1940), p. 365.

c. Command of these guards and of other personnel working in concentration camps, and regulation and control of their discipline and activities, was exercised until 1942 through the Fuehrer der SS Totenkopf Verbaende und des Konzentrationslager (Leader of Death Head Units and Concentration Camps), sometimes referred to as the Inspekteur des Konzentrationslager (Inspector of Concentration Camps) an official in the SS Main Office (SS Hauptamt).

778-PS. Original typewritten Service Regulations for Concentration Camp Dachau, 1 October 1933, issued by Eicke, Kommandant der Konzentrationslager.

2284-PS. d'Alquen, Die SS, pp. 17, 30.

After March 1942 this function was performed by Department D of the Economic and Administration Office of the SS (SS Wirtschafts und Verwaltungshauptamt, commonly referred to as WVHA).

1063-F-PS. Mimeograph copy of Himmler Order, 3 March 1942, setting up Department D of WVHA.

d. Control over the entire internal administration of concentration camps and of the treatment of inmates was a function exercised by the SS from 1933 throughout the war. This

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function was originally the responsibility of the Inspekteur der Konzentrationslager.

1852-PS. Best, Die Deutsche Polizei, p. 42.

In 1942, by order of Himmler, the office of Inspekteur der Konzentrationslager became Department D of the SS Economic and Administration Main Office (WVHA).

1063-F-PS. Mimeograph copy of Himmler Order, 3 March 1942, setting up Department D of WVHA.

R-129. Original letter, 30 April 1942, to Himmler, signature Pohl, Chief of WVHA.

Thereafter management of the camps and regulation of their purposes and the treatment of inmates was a function of WVHA. For example, it issued orders as to the use of inmates for labor,

R-129. Letter from Office of Chief of WVHA, 30 April 1942, to all concentration camp commanders as to management of concentration camps, signed Pohl.

1164-PS. Letter from WVHA, Office Group D, 21 April 1942, as to labor mobilization of clergy.

and as material for experimental purposes.

1751-PS. Letter, 12 May 1944 to all concentration camp commanders, signed Gluecks.

It issued regulations as to the disciplining of inmates

853-PS. Letter from Office of Chief of Department D of WVHA, 11 August 1942, as to flogging of prisoners, signed Gluecks.

and as to the handling of prisoners who were confined under the Nacht und Nebel (Night and Fog) decree.

1932-PS. Letter from Office of Chief of Department D of WVHA, 7 June 1943, as to handling of "NN" prisoners.

It dealt with the furnishing of clothing and supplies for the camps.

1166-PS. Interoffice memorandum of WVHA, 15 August 1944, as to clothing shortage in camps.

It controlled the disposition of the remains of prisoners who died in the camps.

2199-PS. Carbon copy of letter, 12 September 1942, as to disposal of ashes of dead prisoners.

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2. Activities in Carrying Out Functions

a. Ill treatment, torture and murder of prisoners by camp personnel - The details as to the criminal acts and atrocities committed in concentration camps by guards and other camp personnel have been presented in the case on Concentration Camps. That these acts were not mere sporadic instances of brutality committed by irresponsible individuals but a part of a definite SS policy is indicated by the fact that they occurred in all camps and over a period of years. The personnel involved were SS members, who, like all members of that organization, were disciplined and required to swear complete obedience to their leaders.

2640-PS. Organisationsbuch der NSDAP, (1943), p. 418

Moreover, the guards of concentration camps were especially selected and trained for their task. With respect to these guards, the SS Totenkopf Verbaende, (Death Head Units) the Nazi Party Yearbook officially stated:

> "Here it is not only the matter of being a soldier, but, beyond that, of being a character who is able to defy any adversity and keep immune against any temptations which may approach him. Only the best human material can stand up to service in this troop, material which has been selected with regard to character and hereditary capacity. During the last year, as in all years of existence, the force received the spiritual armament for their daily activities by quiet working, schooling and training . . . ."

2163-PS. Nationalsozialistische Jahrbuch (1940) pp. 370, 371.

Lawlessness was officially countenanced and encouraged from the earliest period. At the very outset of the concentration camp system, in May 1933, SS guards ill treated and murdered inmates in their charge.

641-PS. Report, 1 June 1933, to Public Prosecutor General in Munich of Murder of Dr. Strauss in Dachau by an SS Guard.

642-PS. Same as to murder of Hausmann

644-PS. Same as to murder of Schloss

645-PS. Same as to murder of Nefzger

1216-PS. Original typewritten memorandum of Winterberger Public Prosecutor, re above murders.

Despite the attempts of the local public prosecutors to bring those murders to justice, the proceedings were frustrated by higher SS and police officials.

1216-PS. Original typewritten memorandum of Winterberger, Public Prosecutor.

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Regulations issued by the SS Commandant of Concentration Camps, provided for arbitrary punishments of inmates by SS authorities in control of the camp and encouraged the free use of firearms by SS guards against prisoners.

778-PS. Original typewritten document, 1 October 1933, of Disciplinary and Penal Regulations for Dachau and Service Regulations for Camp Personnel, with typewritten signature of Eicke, "Kommandant der Konzentrationslager."

In 1936, because of the continued shootings of inmates by SS guards, the Minister of Justice urged the issuance of regulations restricting the use of firearms by guards.

781-PS. Typewritten memorandum, 9 March 1936, by Minister of Justice, Guertner, of conference with Himmler, initialed "G".

Such a restriction was finally imposed in 1938 because too many people were killed "trying to flee", but was revoked two months later when an SS guard was killed by an inmate.

782-PS. Typewritten copy of letter, 16 May 1938, to Minister of Justice, with typewritten signature of Himmler.

The flogging of prisoners was authorized in regulations issued by WVHA

853-PS. Letter from Office of Chief of Department D, WVHA, 11 August 1942, as to flogging of prisoners, signed Gluecks.

and the extermination of classes of prisoners by SS Camp personnel directed.

1151-PS. Letters and telegrams to and from WVHA as to "Action 14F13" from files of Gross Rosen Concentration Camp.

1933-PS. Photostat of letter, 27 April 1943, to commandant of Gross Rosen Camp from Department D of WVHA, signed Gluecks, providing that "Action 14F13" be applied only to insane.

SS personnel functioned as executioners of inmates of the camps.

1152-PS. Original letter, 11 November 1941, to Commandant of Concentration Camp Gross Rosen, with signature (illegible) of "Der Inspekteur der Konzentrationslager", authorizing gift to executioners at Gross Rosen Concentration Camp.

The resulting widespread and continued terroristic acts of camp personnel, which increased with the beginning of the war and thereafter, was thus a systematic and official SS program.

b. Exploitation of the labor of concentration camp inmates. - In 1942, concentration camps were converted into large scale economic enterprises. Coincident with transfer of the management of the camps to the SS Economic and Administration Main Office (WVHA), the Chief of that office in a letter to Himmler stated:

> "The custody of prisoners for the sole reason of security, education or prevention is no longer the main consideration. The emphasis has shifted to economic considerations."

R-129. Letter, 30 April 1942, from Chief of WVHA to Himmler, signature of SS Obergruppenfuehrer Pohl.

To carry out this program, he issued directions to all camp commanders as to their duties with respect to "the management of a concentration camp and of all the economic enterprises of the SS within its sphere of organization," with the proviso that "there is no limit to working hours" and that "any circumstnaces which may result in a shortening of working hours (e.g. meals, roll calls) have, therefore, to be restricted to the minimum which cannot be condensed any more."

R-129. Circular letter, 30 April 1942, to all concentration camp commanders, from Office of Chief of WVHA.

Through the police arm of the SS, additional prisoners fit for work were transferred to concentration camps to build up a reservoir of free labor.

1063-D-PS. Circular mimeograph letter, 16 December 1942, to all Gestapo, mimeographed signature of Mueller, Chief of Gestapo.

L-41. Photostat letter, 23 March 1943, same as above.

1063-E-PS. Mimeograph letter, 25 June 1943, same as above.

744-PS. Letter, 5 August 1943, to all SS main departments re collection of women and children to work in coal mines.

R-124. Minutes of Discussions with Fuehrer on 6 and 7 April 1944, signed by Speer, p. 36.

The inmates were utilized by the SS for work in private industry and in industrial establishments of its own.

1584-PS. (1) Doc. II, Report, 22 February 1944, to Himmler, signature Pohl, as to use of concentration camp inmates in aircraft production program.

(2) Doc. II A, memorandum, 8 March 1944, to Pohl, signed by Himmler.

(3) Doc. III, letter, 9 March 1944, to Goering, signed Himmler.

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The SS regarded the labor of concentration camp inmates an SS asset.

1918-PS. Himmler's speech to officers of SS Leibstandarte "Adolf Hitler", p. 3.

It claimed and was authorized an allotment of a 3 to 5 percent of the products of concentration camp labor as compensation for allowing the use of inmates therefor.

R-124. Minutes of conference with the Fuehrer on September 20-22, 1942, signed by Speer, p. 34.

D. Functions and Activities With Respect to Military Preparations for Aggressive War.

From 1933 until the beginning of the war the SS was organized, trained and prepared to operate as an instrument of war. The Allgemeine SS - which constituted the bulk of the SS - served as a training corps and reserve for the Army. It was organized in military formations from platoon up through the higher echelons.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 142.

Its members were principally selected from young men of military age.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 142.

2284-PS. d'Alquen, Die SS, p. 18

As Himmler pointed out to the Wehrmacht, they were required to undergo the most strenuous physical training.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), pp. 142, 145.

They wore uniforms, were sworn to obedience to their leaders and trained in military discipline.

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937),

In 1938 and early 1939 the occupation of Austria, Czechoslovakia and Memel provided a new source of strength for the Allgemeine SS. Existing units in those territories were assumed into the SS or new regiments created.

2164-PS. Nationalsozialistisches Jahrbuch (1940) p. 366.

In 1939, d'Alquen, the official spokesman for the organization stated:

"The strength of the Allgemeine SS, 240,000 men, is subdivided to-day into 14 Districts (Oberabschnitte) 38 sub-districts (Abschnitte), 104 infantry regiments,

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10 mounted regiments, 14 communication battalions, and 9 engineer battalions, as well as motorized and medical units."

2284-PS, d'Alquen, Die SS, p. 20

In addition to the Allgemeine SS - which served as a paramilitary formation - the SS also created, beginning in 1933, special units of professional full time soldiers. These combat forces originated in the Leibstandarte (Body Guard Regiment) "Adolf Hitler", established in the spring of 1933, to which were soon added additional regiments and battalions. They were known collectively as the SS Verfuegungstruppe and were composed of SS members with the best "political" training.

2284-PS. d'Alquen, Die SS, pp. 14, 15, 19, 20

2640-PS. Organisationsbuch der NSDAP, pp. 427a, 427b

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), pp. 145, 146.

By August 1938, they had increased to four regiments, 2 motorcycle units, an engineer battalion, a signal battalion and a medical unit.

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of the SS.

2284-PS. d'Alquen, Die SS, pp. 14, 15

An additional source of professional combat troops was the SS Totenkopf Verbaende, the concentration camp guards (referred to pp. 8, 14 supra). Like members of the SS Verfuegungstruppe, members of these guards enlisted for a definite period of service, were armed, garrisoned and received military training.

2284-PS. d'Alquen, Die SS, p. 20

2164-PS. Nationalsozialistisches Jahrbuch (1940), pp. 370, 371

Moreover SS officer and officer candidate schools were created to train officers and non-commissioned officers to lead these forces.

2284-PS. d'Alquen, Die SS, p. 15

1992A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 160.

While these SS combat forces were neither a part of the Wehrmacht nor of the police,

647-PS. Secret Hitler order, 17 August 1938, as to organization and mobilization of the SS.

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they were as fully trained and prepared for combat as professional units of the Army. They served for 4 years, a longer period than the required compulsory military service in the Army and their service counted as fulfillment of the requirement for compulsory military service.

647-PS. Secret Hitler order, 17 August 1938, as to organization and mobilization of the SS.

2640-PS. Organisationsbuch der NSDAP (1943), p. 427 a

In August 1938 an order was issued by Hitler to "delineate the common tasks of the SS and of the Wehrmacht" in the event of mobilization. By the terms of this order the SS Verfuegungstruppe, the SS Totenkopf Verbaende and reinforcements therefor, and the SS officer schools were exempted from the requirement - to which all other members of the SS were made subject - of compulsory service in the Army in the event of war. The order further provided that in the interim "the final aim is complete motorization of all Standarten (regiments) and independent units".

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of SS.

Pursuant to this directive, these SS troops were motorized, new units were added and intensive training undertaken during the winter of 1938-1939 and the summer of 1939.

2164-PS. Nationalsozialistisches Jahrbuch (1940), p. 367

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 192

In the meantime both the SS Verfuegungstruppe and the SS Totenkopf Verbaende, operating under the tactical command of the Army, took part in the occupation of Austria, the Sudetenland, and Bohemia-Moravia.

2164-PS. Nationalsozialistisches Jahrbuch (1940), pp. 366,367

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 192

388-PS. "Plan Green", p. 61, Order of Supreme Command of the Armed Forces, 28 September 1938, as to use of SS Totenkopf Verbaende, signed Jodl.

Their preparedness as combat troops was finally demonstrated in the attack on Poland.

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 193

Thus these combat units carried out the function for which they had been initially created: to enable volunteers "to fight in war with arms in hand for the realization of the National Socialist idea",

2640-PS. Organisationsbuch der NSDAP (1943), p. 427 a

so that the SS might not be prevented from participating in the "great all embracing tasks in difficult times demanding the effort of the whole people externally".

2284-PS. d'Alquen, Die SS, p. 14

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E. Functions and Activities as a Combat Force

1. Functions - After the beginning of the war all combat SS units (which originated in the SS Verfuegungstruppe and SS Totenkopf Verbaende discussed in the preceding section) came to be known collectively as the Waffen SS (Armed SS). Existing units were brought up to division strength and new divisions were added.

2640-PS. Organisationsbuch der NSDAP (1943) pp. 427 a 427 b.

To maintain and increase the strength of the SS army, volunteers were recruited throughout the war.

2825-PS. SS Soldatenfreund (1943) (Pocket manual for SS soldiers) pp. 36, 37, 39.

This force constantly remained a part of the whole SS. The Hitler order covering the function of the SS in the event of mobilization provided that if placed under the command of the Army it "remains a unit of the NSDAP politically."

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of SS.

Recruiting, training, administration and supply of the Waffen SS throughout the war remained the function of the Supreme Command of the SS. It was recruited through the SS Main Office (SS Hauptamt

2640-PS. Organisationsbuch der NSDAP (1943), p. 419.

2825-PS. SS Soldatenfreund (1943),pp. 20, 39

It was organized, administered and supplied through the SS Operational Office (SS Fuhrungshauptamt), in which department was its Command Headquarters.

2825-PS. SS Soldatenfreund (1943) p. 21.

Other functions relating to it were performed by the different departments in the SS Supreme Command.

2640-PS. Organisationsbuch der NSDAP (1943), pp. 420, 421.

2825-PS. SS Soldatenfreund (1943), pp. 20, 21.

Further, although the mobilization order provided that the Waffen SS while under Army command should be subject to all military laws relating to the Army,

647-PS. Secret Hitler Order, 17 August 1938, as to organization and mobilization of the SS.

subsequent decrees provided that members of the Waffen SS should not be subject to the jurisdiction of military tribunals, but

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should be adjudged in the name of the Reichsfuehrer SS by the SS Main Legal Office (Hauptamt SS Gericht) a department of the SS High Command.

2946-PS. Decree of 17 October 1939, Reichsgesetzblatt (1939) I, p. 2107.

2947-PS. Decree of 17 April 1940, Reichsgesetzblatt (1940) I, p. 659.

2. Activities - The ideological training of the Waffen SS made it a ruthless military force, suitable for performing specialized tasks in addition to normal combat duties. Units of Waffen SS were employed as part of the Einsatzkommando groups in wholesale extermination of Jews and the native population in Eastern occupied territories.

L-180. Report by SS Brigade Fuehrer Stahlecker on activities of Einsatz Group A, from July to October 1941, showing participation of Waffen SS units.

1061-PS. Report by SS General Stroop on destruction of Warsaw Ghetto showing participation of Waffen SS.

1918-PS. Himmler speech to officers of SS Leibstandarte Adolf Hitler, praising actions of Waffen SS units in extermination of Poles.

1972-PS. Original letter, 14 October 1941, from Chief of SS Operations Headquarters to Himmler reporting on executions of Czechs by Waffen SS.

In carrying out its normal military operations units of the Waffen SS engaged in violations of the laws of war by denying quarter to and murdering unarmed prisoners of war.

2997-PS. Supplementary Report of SHAEF Court of Inquiry, 19 April 1945, finding 20 instances of killing of unarmed allied prisoners in Normandy, France, between 7 and 17 June 1944 by 12th SS Panzer Division (Hitler Jugend), pp. 6-8.

F. Functions and Activities with Respect to Planning and Executing Nazi Racial Principles.

1. Functions - The fundamental principle of the SS was the superiority of "Nordic" blood, the necessity of its continuance and the extermination of all sources which might "dilute" or "taint" it.

1992-A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in Nationalpolitischer Lehrgang (1937), p. 138.

1851-PS. Himmler, Die Schutzstaffeln als anti-bolschewistische Kampforganisation, pp. 20, 21, 31.

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1919-PS. Himmler's speech to SS Gruppenfuehrers (SS Generals) in Poznan (4 October 1943), p. 70.

1918-PS. Himmler's speech to officers of SS Leibstandarte "Adolph Hitler" at Metz, p. 12.

The objective was to make the SS an elite group according to Nazi racial and biological theories and through it to assure continued Nazi dominance over Germany and Europe for future generations. The carrying out of this long term objective involved an original careful racial selection of SS members, insuring the future continuance of this elite group, indoctrinating them in racial theories and utilizing them to execute those theories.

a. The racial and physical requirements for admission to membership in the SS and the conditions imposed upon marriage of SS men, in order to maintain a racial elite, have been dealt with in an earlier section of this brief (see pp. 3, 4 supra). In addition to these measures, intensive efforts were made to guarantee the perpetuation of SS stock. SS men were directed to have a multiplicity of children, the "minimum essential for a good and sound marriage being four." Those being unable to have children of their own were ordered to adopt "racially and hereditarily healthy children and aducate them along lines of National Socialist ideology."

2825-PS. Order of Reichsfuehrer SS, 13 September 1936, providing for found of "Lebensborn" organization, quoted in SS Soldatenfreund (1943) p. 25.

To insure procreation of SS offspring, Himmler, in an order to the whole SS and police in October 1939, urged the bearing of children outside marriage.

> "German women and girls of good blood can fulfill a high obligation by bearing children out of wedlock to soldiers going to the front - not out of promiscuity but out of a deep sense of ethics."

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2825-PS. (1) Order to the whole SS and Police, 28 October 1939, issued by Himmler, quoted in SS Soldatenfreund (1943) p. 29.

(2) Order to members of the SS and Police, 30 January 1940, issued by Himmler, quoted in SS Soldatenfreund (1943), p. 31.

Finally in 1942, SS soldiers were withdrawn from the front so that they could produce "as many children of good blood as possible . . . and guarantee the continuation of /their/ ancestors and families within a year."

2825-PS. SS Order to the Last Sons, 15 August 1942, issued by Himmler, quoted in SS Soldatenfreund (1943), p. 35.

b. The formulation and administration of SS racial policies was the function of the SS Race and Settlement Main Office (SS Rasse und Siedlungshauptamt), one of the oldest and most important departments in the SS Supreme Command.

1992-A-PS. Himmler, "Wesen und Aufgabe der SS und der Polizei", published in National-politischer Lehrgang (1937), pp. 152, 153.

2640-PS. Organisationsbuch der NSDAP (1943), p. 420.

To insure the support of legitimate and illegitimate children of SS men, the "Lebensborn" Organization was created by the SS in 1939.

2825-PS. Order of Himmler, 13 September 0936, providing for foundation of the organization "Lebensborn e. V.", quoted in SS Soldatenfreund (1943), p. 25.

c. SS members were trained in Nazi ideology and racial theories,

2640-PS. Organisationsbuch der NSDAP (1943), p. 417.

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and were required to propagandize them. The SS member

> "by his example . . . attracts and convinces at the same time the weak and the inconsistent who have not yet gained the National Socialist ideology . . . . . One of his most eminent means of propaganda is the periodical "Das Schwarze Korps" (the Black Corps) . . . He has to use his influence so that it may be read by the whole people."
>
> 2640-PS. Organisationsbuch der NSDAP (1943) p. 418.

2. Activities - The SS was not merely a planning and propagandizing agency, but ruthlessly carried these racial theories into practice. Thus, the SS served as an instrument for carrying out the Nazi program of extermination of the Jews. As Himmler stated in a speech in 1943 to the highest SS leaders:

> "I mean the clearing out of the Jews, the extermination of the Jewish race. It's one of those things it is easy to talk about - "The Jewish race is being exterminated", says one party member, "that's quite clear, it's in our program - elimination of the Jews, and we're doing it, exterminating them." And then they come, 80 million worthy Germans, and each one has his decent Jew. Of course, the others are vermin, but this one is an A-1 Jew. Not one of all those who talk this way has witnessed it, not one of them has been through it. Most of you must know what it means when 100 corpses are lying side by side, or 500 or 1000. To have stuck it out and at the same time - apart from exceptions caused by human weakness - to have remained decent fellows, that is what has made us hard. This is a page of glory in our history which has never been written and is never to be written, for we know how difficult we should have made it for ourselves, if - with the bombing raids, the burdens and the deprivations of war - we still had Jews today in every town as secret saboteurs, agitators and trouble-mongers. We would now probably have reached the 1916/17 stage when the Jews were still in the German national body."
>
> 1919-PS. Himmler speech to SS Gruppenfuehrers at Posnan, pp. 64-67.

Members of the Allgemeine SS, as well as of the Security Police and the SD, were utilized in the planned programs, in November 1938.

> 374-PS. Telegram, 10 November 1938, to all Gestapo offices from Heydrich, Chief of Sipo and SD.

The wholesale exterminations of Jews and other parts of the native population conducted in Poland, the Baltic states and Russia were carried out by various components of the SS. The Einsatzkommando groups engaged in these actions were composed of SS officers and men chosen from the Security Police, the SD, the Ordinary Police and the Waffen SS.

> L-180. Report by SS Brigade Fuehrer Stahlecker on activities of Einsatz Group A from July to October 1941.
>
> 1061-PS. Report by SS General Stroop on destruction of Warsaw Ghetto.

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L-18. Report from SS Gruppenfuehrer to Higher SS and Police Leader as to Liquidation of Jews in Galicia, 1942-1943, p. 18.

053-PS. Report from Koch, Rosenberg's Deputy, 5 October 1941, referring to liquidation of Jews in Kiev.

SS Police battalions (units of militarized SS police) played a part in similar extermination actions.

R-135. Report, June 1943, by Kube Commissioner General in Minsk as to slaughter of Russians by police battalion.

1113-PS. Final Report of Higher SS and Police Leader for the East, 6 November 1942, as to anti-partisan operations by police.

The Reichssicherheitshauptamt (RSHA) operated gas vans for extermination purposes.

501-PS. (1) Letter from SS Untersturmfuehrer Dr. Becker, 16 May 1942, to SS Obersturmbannfuehrer Rauff, re. gas vans.
(2) Letter from SS Hauptsturmfuehrer Truehe to RSHA, 15 June 1942, re. gas vans.
(3) Letter from SS Obersturmbannfuehrer Dr. Schaefer to RSHA, 9 June 1942, re. gas vans.

G. Functions and Activities with Respect to Evacuation and Resettlement of Inhabitants of Conquered Territories.

The permanent colonization of conquered territories, the destruction of their national existence and the permanent extension of the German frontier were fundamental objects of the conspiracy. This involved a program for forcible evacuation and resettlement of inhabitants of these regions who were of doubtful racial stock or doubtful political loyalty, their "denationalization" and "reeducation" in purely German surroundings, and the colonization of evacuated areas by Germans.

In carrying out this program hundreds of thousands of non-Germans were evacuated from their homes and confined to concentration camps;

2163-PS. Nationalsozialistisches Jahrbuch (1941), pp. 195, 196

1352-PS. Report of Estate Office, 22 May 1940, as to deportations of Poles.

1166-PS. Letter from WVHA, 15 August 1944, as to increased shipments of prisoners to concentration camps.

R-114. Memorandum of conference, 4 August 1942, of SS representatives as to evacuation of Alsations.

and their property was confiscated for the benefit of the Reich.

R-143. Himmler decree, 16 December 1939, confiscating cultural objects.

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R-92. Himmler order, 15 April 1941, regarding confiscation of Polish real estate.

1352-PS. Report of Estate Office, 22 May 1940, as to confiscation of Polish property.

Persons of German blood who were deemed capable of "reeducation" were transferred to Germany, their property was seized, they were required to join Nazi organizations, and forbidden to marry without permission of police authorities. If forcible measures for Germanization failed, they were imprisoned in concentration camps.

R-112. Order of Reichscommissioner for Consolidation of German Nationality, 16 February 1942, as to repatriation of German ethic groups.

R-114. Memorandum of conferences, 4 August 1942, of SS representatives as to conviction of Alsations.

The SS was a logical agency for carrying out this evacuation and resettlement program. Formulation of policies for carrying the SS racial principles into effect and creating a new peasantry through settling SS families on the soil had long been the task of one of its oldest departments of the SS, the SS Race and Settlement Main Office (SS Rasse und Siedlungshauptamt).

2284-PS. d'Alquen, Die SS, p. 24.

On 7 October 1939, the Reichsfuehrer SS and Chief of the German Police, was appointed Reich Commissioner for the Consolidation of German Nationality (Reichskommissar für die festigung des deutschen Volkstums).

686-PS. Hitler Decree to Strengthen German Folkdom, October 7, 1939.

In this capacity his first duty was

> "to evacuate the persons of German race from the Baltic countries and from the former Polish territories . . . in accordance with National Socialist ideology . . . . It was to be his further duty to begin the racial consolidation and resettlement of the reclaimed German Eastern territories".

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 195

The program was extended to other territories as they were occupied.

A new department of the SS Supreme Command, the Staff Headquarters of the Reich Commissioner for the Consolidation of German Nationality (Stabshauptamt Des Reichskommissar fur die Festigung des Deutschen Volkstums) was created to make and to carry out plans concerning the resettlement policy, "especially the choice of human material to be settled".

2640-PS. Organisationsbuch der NSDAP (1943), pp. 421, 422

2163-PS. Nationalsozialistisches Jahrbuch (1941), pp. 194,195

Other departments of the SS Supreme Command, already existing, were also utilized: the SS Hauptamt Volksdeutsche Mittelstelle (Department for Repatriation of Germans), the SS Rasse und Siedlungshauptamt (SS Race and Settlement Office) and the Reichssicherheitshauptamt (Reich Security Main Office - RSHA) were particularly concerned.

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 195

2640-PS. Organisationsbuch der NSDAP (1943), pp. 420,422

R-114. Memorandum of conference, 4 August 1942, to formulate evacuation and resettlement program for Alsace attended by representatives of principal SS departments.

"Immigration centers" were set up to handle evacuations under the control of the Chief of the Security Police and SD, the head of RSHA.

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 195.

L-49. Affidavit of Otto Hoffman, Chief of SS Main Office for Race and Settlement, 4 August 1945.

Execution of the program on the regional level was the responsibility of the Higher SS and Police Leaders who utilized the Gestapo in this work.

R-112. Order of Reich Commissioner for Consolidation of German Nationality, 16 February 1942, as to repatriation of Polonized Germans.

Participation in this task was a function carried on throughout the entire SS membership.

> "Numerous SS leaders and SS men helped with untiring effort in bringing about this systematic migration of peoples which has no parallel in history. There were many administrative difficulties which, however, were overcome due to the unbureaucratic working procedure. This was especially guaranteed above all by the employment of SS leaders."

2163-PS. Nationalsozialistisches Jahrbuch (1941), p. 195

H. Functions and Activities in Connection With Human Experiments

Over a period of years experiments on living human beings were conducted in the concentration camps, under the auspices of the Supreme Command of the SS. Personnel of the SS performed the experiments, and the SS controlled and authorized the use of concentration camp inmates for such purposes.

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The program of human experiments originated in a request by Dr. Sigmund Rascher to Himmler as Reichsfuehrer SS for permission to utilize persons in concentration camps as material for experiments with human beings in a pressure chamber, in connection with research he was conducting for the Luftwaffe. In making his request Dr. Rascher stated that

> "No test with human material had yet been possible with us, as such experiments are very dangerous and nobody offers himself."

and that from such experiments "test persons can of course die".

1602-PS. Photostat letter, 15 May 1941, to Himmler, Dr. Rascher's signature.

Assurance that he would be allowed to utilize inmates for his experiments was promptly given to Dr. Rascher by Himmler through the Personal Staff of the Reichsfuehrer SS (Hauptamt Persoenlicher Stab).

1582-PS. Photostat letter, 22 May 1941, to Dr. Rascher, signature SS Sturmbannfuehrer Brandt.

The experiments were conducted, and General Field Marshal Milch, on behalf of the Luftwaffe, expressed his thanks to the SS for assistance furnished in connection with the experiments.

343-PS. Original letter, 20 May 1942, to Wolff, Chief of the Personal Staff, signature of Milch.

Subsequently Dr. Rascher and his associates, at the direction of the Reichsfuehrer SS, conducted freezing experiments on human beings at Dachau, Auschwitz and Lublin Concentration Camps.

1618-PS. Photostat report of Freezing Experiments, 15 August 1942, signature of Dr. Rascher.

1617-PS. Photostat letter, 13 November 1942, to General Field Marshal Milch, Himmler's signature.

1612-PS. Photostat letter, 13 December 1942, to Dr. Rascher, Himmler's signature.

Dr. Rascher was transferred from the Luftwaffe to the Waffen SS so that his experiments could be under SS control.

1617-PS. Photostat letter, 13 November 1942, to General Field Marshal Milch, Himmler's signature.

To facilitate these experiments a new section of the Ahnenerbe Institute was created of which Rascher was made head. As will be seen from the chart the Ahnenerbe Institute was under the direction of the Personal Staff of the Reichsfuehrer SS, one of the principal departments of the SS.

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See also 1852-PS. Best, Die Deutsche Polizei, p. 88. Supplies and equipment for the Rascher experiments were obtained through the Ahnenerbe Institute, the Reich Surgeon of the SS and Police, and the SS Economics and Administration Main Office (WVHA).

1612-PS. Photostat letter, 13 December 1942, to Dr. Rascher, Himmler's signature.

Experiments with poisoned bullets were conducted by other SS doctors under the direction of the Reich Surgeon of the SS and Police.

L-103. Letter, 12 September 1944, to Institute of Technical Criminality from SS Oberfuehrer Dr. Mrugowsky reporting experiment with akonitinnitrate bullets on prisoners.

Requests for use of inmates for experimental purposes were directed to and approved by the Personal Staff of the Reichsfuehrer SS and the SS Economic and Administration Main Office.

1582-PS. Photostat letter, 22 May 1941, to Dr. Rascher, signature SS Sturmbannfuehrer Brandt.

1583-PS. Photostat letter, 15 November 1942, to Chief of WVHA, Himmler's signature.

1751-PS. Photostat letter, 12 May 1944, from Office of Chief of Department D of WVHA to Commanders of Concentration Camps, prohibiting use of inmates without permission of WVHA.

The Reich Surgeon of the SS and Police officially requested funds from the Ministry of Finance for experimental laboratories for the Waffen SS. The request was granted because of his representation that the SS had human material for experimental purposes not available to other institutions.

002-PS. (1) Letter, 19 December 1942, to Reichs Research Department from Ministry of Finance, reporting request of SS for additional funds.

(2) Letter, 26 February 1943, from Reich Surgeon of SS and Police to Reich Research Department, stating requirement for funds.

(3) Letter, 25 March, 1943, to Minister of Finance from Reich Research Department, stating that funds should be granted.

I. Participation of the Defendants in the SS.

Of the defendants in the case seven were members of the SS, to wit, Ribbentrop, Hess, Kaltenbrunner, Bormann, Sauckel, Neurath, and Seyss-Inquart. While all of these defendants benefited from the activities of the SS in carrying out their part in the conspiracy, some were more particularly and directly involved in its activities.

The defendant Kaltenbrunner was head of the Reichssicherheitshauptamt (Reich Security Main Office), one of the principal Departments of the SS. As head of that department and as Chief of the Security Police and SD, he utilized and controlled the operations of the SD and of other units and members of the SS working with the SD. Details as to the acts committed by him in this capacity, through use of the Police and the SD, are covered in the brief on the Gestapo.

ARGUMENT AND CONCLUSION

From 1925 until the end of the war the SS played a major role in all phases of the conspiracy and in the crimes against peace, the war crimes and the crimes against humanity involved in carrying out the conspiracy.

It was the most Nazi of all Nazi organizations. Its members voluntarily pledged themselves to uncompromising obedience in the struggle to secure the dominance of the Nazi regime in Germany, in guaranteeing the continuance of that regime, and in extending the power of that regime throughout Europe.

As an organization founded on the principle that persons of "German blood" were a "master race", it in itself exemplified the doctrinal techniques of the conspiracy set forth in Count One, Par. IV (C). It served as one of the principal instruments through which the conspirators acquired

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control of the German government, as set forth in Count One, Par. IV (D) (1). The operations of the SD, and of the SS Totenkopf Verbaende in concentration camps, were means used by the conspirators to secure their regime and terrorize their opponents, as set forth in Count One, Par. IV (D) (3) (b). All components of the SS participated from the beginning in the program to exterminate the Jews, set forth in Count One, Par. IV, (D) (3) (d). Through the Allgemeine SS as a para-military organization, and the SS Verfuegungstruppe and SS Totenkopf Verbaende, as professional combat forces, the SS participated in the military preparations for aggressive war set forth in Count One, Par. IV (D) (3) (f). All these units were utilized in the invasion of Austria, in the preparations for, and in the invasion of, Czechoslovakia and in the attack on Poland, set forth in Count One, Par. IV (F). The Waffen SS participated in the waging of aggressive war, set forth in Count Two. In the course of such war all components of the SS participated in the war crimes and crimes against humanity set forth in Counts Three and Four, particularly the murder and ill treatment of civilian populations in occupied territory, the murder and ill treatment of prisoners of war and Germanization of occupied territories.

It was at all times the exclusive function and purpose of the SS to carry out the common objectives of the defendant conspirators. Its activities in carrying out those functions involved the commission of the crimes defined in Article 6 of the Charter. It is submitted therefore that the SS, by reason of its aims and the means used for the accomplishment thereof, should be declared a criminal organization in accordance with Article 9 of the Charter.

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APPENDIX A

The Supreme Command of the SS (Reichsfuehrung-SS)

A statement of the departments which made up the Supreme Command of the SS in 1943 and of the principal functions of each department is contained in the following:

2640-PS. Organisationbuch der NSDAP (1943) pp. 419-422.

2825-PS. SS Soldatenfreund (1943) pp. 20-22.

The departments existing in 1944 are also listed in the following:

2769-PS. Original Order of Battle of the SS, 1 November 1944.

The Departments are the following:

Persönlicher Stab des Reichsfuehrers-SS
(Personal Staff of Reichsfuehrer SS)

SS-Hauptamt
(SS Central Office)

SS-Fuehrungshauptamt
(SS Operational Main Office)

Reichssicherheitshauptamt
(SS Reich Security Main Office)

SS-Rasse-und Siedlungshauptamt
(SS Race and Settlement Main Office)

SS-Wirtschafts-und Verwaltungshauptamt
(SS Economic and Administrative Main Office)

SS-Personalhauptamt
(SS Personnel Main Office)

Hauptamt SS-Gericht
(SS Legal Main Office)

Hauptamt Ordnungspolizei
(Main Office for Order Police)

Dienststelle SS-Obergruppenfuehrer Heissmeyer
(Bureau SS-Obergruppenfuehrer Heissmeyer)

Stabshauptamt des Reichskommissars fuer die Festigung deutschen Volkstums
(Staff HQ of the Reich Commissioner for the Consolidation of German Folkdom)

Hauptamt Volksdeutsche Mitterstelle
(Main Office for Ethnic Germans)

The following description of the principal functions of the more important departments is taken from the Organisationbuch der NSDAP (1943) pp. 419-422:

a. Hauptamt Persönlicher Stab RFSS (Department of the Personal Staff of the Reichsfuehrer SS).

The Personal Staff developed from the Adjutantur of the Reichsfuehrer-SS. Attached to it are further all authorities to which the Reichsfuehrer-SS

has assigned the tasks of putting into effect special plans. The Chief of the Personal Staff is permanent liaison-officer of the Reichsfuehrer-SS at the Headquarters of the Fuehrer. There he deals with all questions of the SS including the Armed-SS and the Police.

b. SS Hauptamt (SS Central Office)

The tasks of the SS Central Office are ideological and political direction, training, and education of the SS, recruiting for the whole SS and Police and those formations, which are attached to the SS, and the registration of the SS-members and their families. A further task is the bodily education of, and cultural care for, the SS. Of Special importance are formation and leadership of SS in Germanic countries.

c. Reichssicherheitshauptamt (RSHA or Central Security Department)

The Reich Central Security Department deals in its departments with organisatory, economic, technical matters and matters of personnel of the Security Police and the Security Service (SD). It is further the centre for the executive of the State Police and the Criminal Police and the central office of the information-network of the Security Service (SD).

d. SS Rasse und Siedlungs Hauptamt (RuSHA or Race and Settlement Department)

The SS Central Office for Race and Settlement deals in its departments with the racial selection of SS-recruitment, directs the choice of spouses by the SS-men and furthers the founding of families of value from the viewpoint of hereditary biology and with many children. Suitable SS-men, who wish to settle as farmers, are being enabled to own a farm.

e. SS Führungshauptamt (FHA or SS Operational Headquarters)

The Reichsfuehrer-SS uses the SS Operational Headquarters as command-authority for the leadership of the Armed-SS and for the premilitary and postmilitary leadership and training of the General SS. The SS Operational Headquarters originated in August 1940 from the necessity to bring together in one authority all functions connected with the use, leadership, organisation, and training of the units. In the SS Operational Headquarters there are the following departments: Command-Authority of the Armed SS, Command-Authority of the General SS, SS-Administration Office, SS-Arms Office, Authority for the Training of Leaders, SS-Sanitary Authority, Inspectorate.

f. SS Wirtschafts und Verwaltungs Hauptamt (WVHA or Economic and Administrative Department)

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The Economic and Administrative Department deals with all duties with regard to matters of administration and economics, which are assigned to it by the Reichsfuehrer-SS and Chief of the German Police, Heinrich Himmler.

g. Stabshauptamt Des Reichskommissars Für die Festigung Deutschen Volkstums (Staff HQ of the Reich Commissioner or the Consolidation of German Nationality).

It is the duty of the Staff HQ for the Reich Commissioner for the Consolidation of German Nationality to make and carry into effect all necessary plans concerning the settlement and reconstruction, including any problems of administration and economics connected with the resettlement policy, especially the choice of human material to be settled. Its field of activity covers the whole Reich and the territories under the government of the Reich.

h. SS-Hauptamt Volksdeutsche Mittelstelle (Main Office for the Repatriation of Racial Germans)

The Main Office for the Repatriation of Racial Germans deals with problems of race, especially those of the German race. It carries out tasks allotted to it by the Reichsfuehrer SS. The main consideration in this work is strengthening the consciousness of the unity of all Germans and its practical consequences in racial policy.

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TRIAL BRIEF

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DIE SCHUTZSTAFFELN
DER NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITERPARTEI
COMMONLY KNOWN AS THE SS

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